



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00023
Application Type: Rezoning
CPC Hearing Date: July 17, 2014
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: North of Montana Avenue and East of Purple Heart Boulevard
Legal Description: A portion of Sections 28 and 33, Block 79, Township 2, Texas and Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas
Acreage: 113.675 acres
Rep District: 5
Current Zoning: C-4 (Commercial)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: None
Request: From C-4 (Commercial) to R-MU (Residential Mixed Use)
Proposed Use: Residential Mixed Use

Property Owner: River Oaks Properties, LTD.
Applicant: Cash Investments
Representative: Conde, Inc.

SURROUNDING ZONING AND LAND USE

North: City Limit / Vacant
South: R-F (Ranch and Farm) / El Paso County Sheriff's Department and C-4 (Commercial) / Vacant
East: City Limit / County Jail
West: City Limit / Vacant

PLAN EL PASO DESIGNATION: G-2, Traditional Neighborhood (Walkable) (East Planning Area)

NEAREST PARK: Tierra Del Este #18 Park (5,098 feet)

NEAREST SCHOOL: El Dorado High (6,433 feet)

NEIGHBORHOOD ASSOCIATIONS

Eastside Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on July 2, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from C-4 (Commercial) to R-MU (Residential Mixed Use) in order to allow residential mixed-use development. The Master Zoning Plan shows a mix of single-family, duplex, triplex, and quadraplex uses, and common open space and recreational uses. The development proposes 0 foot setbacks and maximum density of 14 units per acre. The Master Zoning Plan Report is attached (Attachment #4). Access to the subject property is proposed from Justice Drive.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from C-4 (Commercial) to R-MU (Residential Mixed Use) and the Master Zoning Plan as it complies with requirements of Section 20.04.200 Master Zoning Plan and is compatible with the comprehensive plan and surrounding development

in the area. This development also complies with the purpose, principles and guidelines of the R-MU District.

ANALYSIS

20.04.200 Master Zoning Plan.

A. Master Zoning Plan (MZP).

1. As part of any zoning application for a mixed use district, a Master Zoning Plan shall be required and shall accompany the application. The MZP shall provide sufficient details necessary about the proposed land uses and proposed development so that the El Paso City Council may determine their compatibility within the proposed district and the impact on the adjacent properties.

See enclosed Master Zoning Plan Report. The Plan complies.

As part of the MZP, an application may propose and delineate subdistricts. A subdistrict is a geographic subcomponent of a larger mixed use district. Its purpose is to enable the incremental measurement and reconciliation of maximum dwelling units, density and other data required in the MZP to subsequent development. Where practical, a subdistrict's boundary should be consistent with natural geographic features, reflect man-made transitional barriers (such as roadways), or separate sharp changes in proposed land uses.

2. While the submittal requirements below reflect the use of subdistricts, their use is not required. Applications not using subdistricts shall be required to submit the same information but aggregated for the entire mixed use district. The MZP shall, at a minimum, include the proposed land uses and locations, as well as the information required below.

3. Submittal Requirements.

a. General Data Required for the Mixed Use District.

- i. Total acreage;
- ii. Maximum proposed total number of dwelling units for all residential land uses combined;
- iii. Maximum proposed total Floor Area for all nonresidential land uses combined, expressed in square feet.

b. General Data Required for Each Proposed Subdistrict.

- i. Total acreage;
- ii. Maximum proposed total number of dwelling units for all residential land uses combined;
- iii. Maximum proposed floor area for all nonresidential land use uses combined, expressed in square feet.

c. Property Development Regulations Required per Subdistrict by Land Use Type.

- i. Proposed acreages for each proposed land use including parks, open space, buffer zones, trails and school sites (as applicable);
- ii. Minimum and maximum lot coverages;
- iii. Minimum lot width;
- iv. Minimum lot depth;
- v. Minimum building setbacks:
 - (A) Front,
 - (B) Rear,
 - (C) Cumulative front and rear,
 - (D) Side-interior,
 - (E) Side-street,
 - (F) Cumulative side setbacks,
 - (G) Garage;
- vi. Maximum building height:
 - (A) Primary structure(s),
 - (B) Accessory structure(s);

- vii. Maximum proposed density for each residential land use type expressed in dwelling units per gross acre of developable land;
- viii. Maximum proposed intensity for each nonresidential land use type expressed in floor area ratio (FAR).

d. Development Plan Map Requirements.

- i. Overall development boundary, labeled with bearings and distances;
- ii. General arrangement and acreages of existing and proposed land uses including open space;
- iii. Proposed phasing boundaries;
- iv. Layout and relationship of proposed development where adjacent to existing development;
- v. General location and acreages for each proposed park, open space, buffer zone, trails and school site (as applicable), provided that any change in location may be approved administratively by the parks director.

The applicant complies.

4. A table or list depicting the proposed acreage for each land use type, park, open space, trail and school site (as applicable) shall accompany the MZP.

See enclosed Master Zoning Plan Report.

5. A written report shall accompany the MZP that describes the purpose, characteristics, components and timing of the proposed mix of land uses within the development, and includes a general statement of how the development relates to the city's comprehensive plan. A detailed description shall be required for each proposed land use, identifying the permissible uses for any subdistrict within the mixed-use district to determine the compatibility of such uses within the mixed use district.

See enclosed Master Zoning Plan Report.

6. A phasing schedule shall be submitted with the rezoning application that indicates the proposed phasing of the development, the approximate time frame in which construction and development is expected to begin and the duration of time required for completion of the development.

There will be no phasing of this development.

7. The application for mixed use zoning, to include the MZP, shall be reviewed by the city plan commission (CPC) for recommendation to city council. The CPC may recommend any amendments or conditions to the MZP necessary to minimize incompatibilities between land uses within the development or between land uses and adjacent properties or with the stated purposes of zoning in this title.

The applicant complies.

8. As part of the approval and adoption of a mixed use district, the city council shall find that the development will promote compatible buildings and uses, and that such development will be appropriate in area, location and overall planning for the purpose intended, in accordance with the city's comprehensive plan and stated purposes of zoning in this title. The city council, in approving any mixed use district, will also be approving the MZP establishing the required zoning standards within the district. Approval of a mixed used district by city council designates the zoning for the property as stated in the ordinance approving such zoning and as depicted on the MZP. All development of the property, regardless of whether the property changes ownership, shall be in accordance with the Master Zoning Plan.

The applicant complies.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-2 – Traditional Neighborhood (Walkable): This sector includes the remainder of central El Paso as it existed through World War II. Blocks are small and usually have rear alleys; buildings directly faced streets;

schools, parks, and small shops are integrated with residential areas. This sector is well-suited for use of the SmartCode as a replacement for current zoning when planned in conjunction with specific neighborhood plans or identified in this Comprehensive Plan.

The purpose of the R-MU (Residential Mixed Use) district to accommodate, encourage and promote innovatively designed developments involving neighborhood-serving residential and commercial land uses, which together form an attractive and harmonious unit of the city. The regulations of this district are intended to allow for developments that are intended by their size and nature of operation to provide service to a neighborhood. It is intended that the district regulations permit uses that are compatible with the residential areas that the uses serve, and allow flexibility and encourage more creative, efficient and aesthetically desirable design and placement of land uses.

COMMENTS:

Planning Division - Transportation

TIA is not required.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

City Development Department – Plan Review

No objections to the rezoning request.

City Development Department - Land Development

No objections.

Fire Department

The Fire Department has no adverse comments therefore recommends approval of this case.

El Paso Water Utilities

We have reviewed the rezoning referenced above and provide the following comments:

1. Sanitary sewer service is critical. The Owner/Developer is to grade the property as to allow sanitary sewer service by gravity.
2. EPWU-PSB requires a complete set of improvement plans, and grading plans for review and approval prior to any work pertaining to the portion of the Property where the existing 20-foot water line easement is located. This is required in order to ascertain that the proposed improvements and/or grading will not adversely affect the existing 16-inch diameter water main. Also, the Owner/Developer shall minimize changes in grade above or near the vicinity of the existing 16-inch diameter water main.
3. During the improvement work of the site, the Owner/Developer shall safeguard the existing 16-inch diameter water main and appurtenant structures located within the easement. If any water main facilities are damaged during the improvement work, the Owner/Developer is responsible for the repair costs.

EPWU-PSB Comments

Water:

4. There is an existing 16-inch diameter water main that extends along a 20-foot water line easement within the subject property. This water main extends in an east to west direction up to Justice Street and then continues in a north to south direction, following the alignment of the proposed linear park. This water main dead ends at the Diamond shamrock site, located north of the subject property. Also, there is an existing 12-inch diameter water main along Justice Street that connects to the 16-inch water main described above.
5. There is an existing 16-inch diameter water main that extends along Justice Street and that dead-ends approximately 1000-feet south of the subject property.
6. A 16-inch water main extension is required along Justice Street connecting the above mentioned 16-inch diameter water mains is required. Owner/Developer is responsible for all extension costs.

Sanitary Sewer:

7. There is an existing 27-inch diameter sanitary sewer main that extends along Justice Street and that dead-ends approximately 1000-feet south of the subject property. A sanitary sewer main extension (27/21-inch in diameter) is required to serve the property. Owner/Developer is responsible for all extension costs. The Owner/Developer is to grade the property as to allow sanitary sewer service by gravity to discharge into this proposed extension.

General:

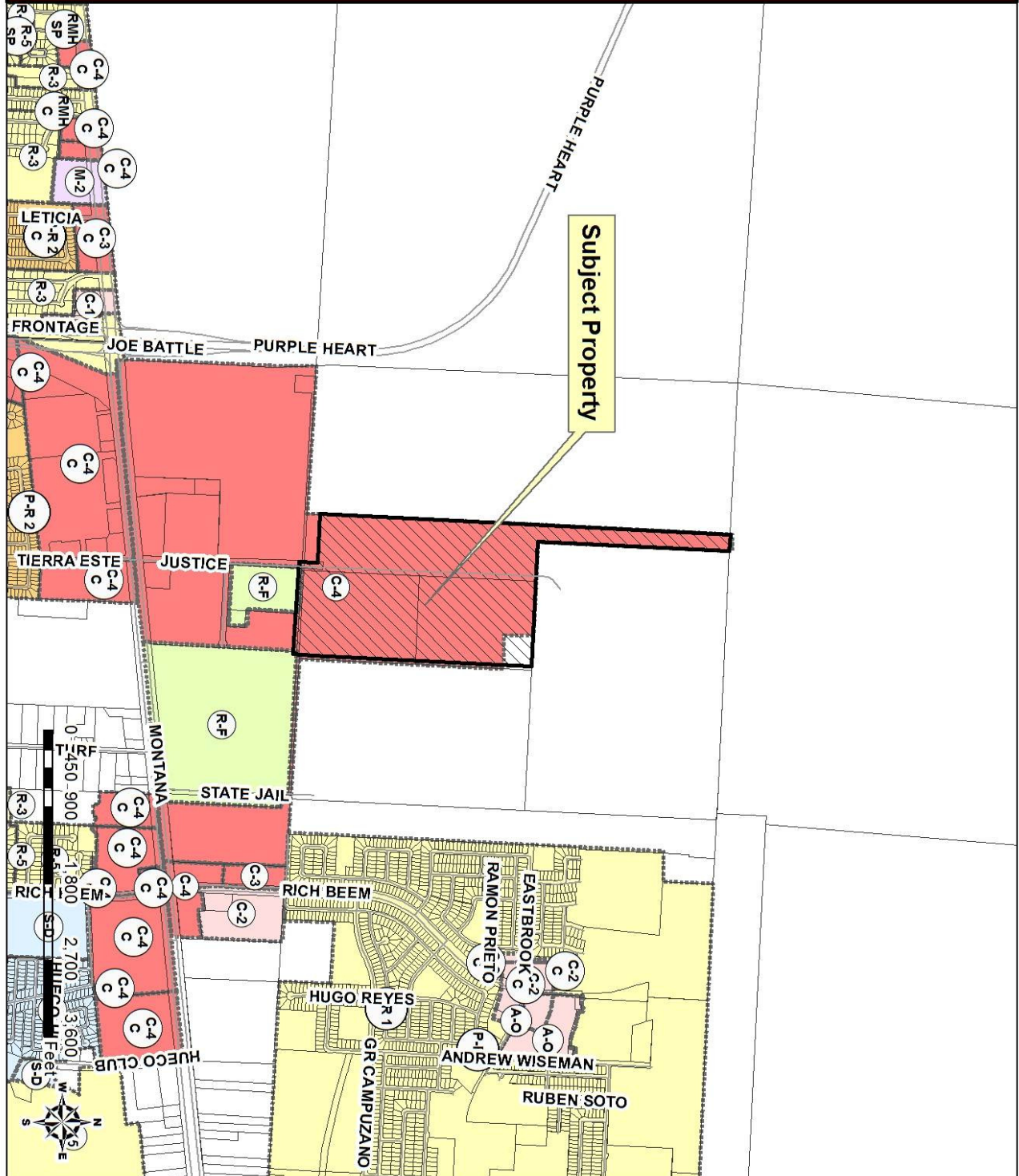
8. EPWU-PSB requires a new service application to serve the property. New service applications should be made 6-8 weeks in advance of construction to ensure water for construction work. The following items, if applicable, are required at the time of application: (1) hard copy of site plan with street names and addresses; (2) finalized set of improvement plans, including grading & drainage plans; (3) digital copy of site plan; (4) benchmark check; (5) construction schedule; and (6) a certificate of compliance. Service will be provided in accordance with the current El Paso Water Utilities – Public Service Board (EPWU-PSB) Rules and Regulations. The owner is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments:

- Attachment 1: Zoning Map
- Attachment 2: Aerial Map
- Attachment 3: Master Zoning Plan
- Attachment 4: Master Zoning Plan Report

ATTACHMENT 1: ZONING MAP

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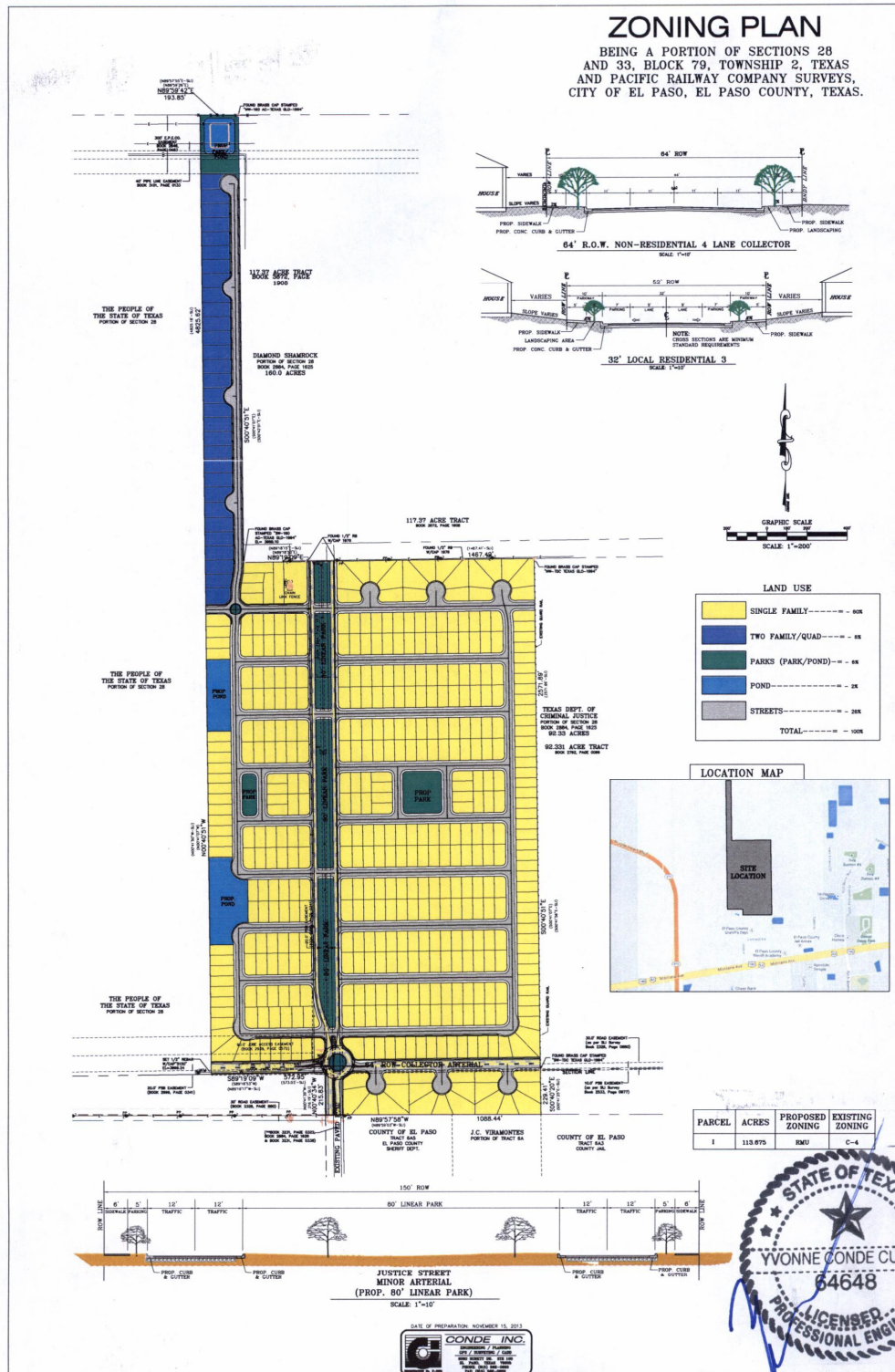


ATTACHMENT 2: AERIAL MAP

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ATTACHMENT 3: MASTER ZONING PLAN



ATTACHMENT 4: MASTER ZONING PLAN REPORT

DESERT SANDS MASTER ZONING PLANDecember 2013

MASTER ZONING PLAN

Desert Sands Master Zoning Plan for a Residential Mixed Use District

SECTION I

PURPOSE AND INTENT-

The purpose of this Master Zoning Plan is to provide detail on the compatibility between land use and structures within and adjacent to this district. The district is intended to provide a unified community as described within the City of El Paso Comprehensive Plan and Smart Growth Objectives as follows:

- To accommodate, encourage and promote innovatively designed development involving a mix of housing types and price levels.
- To permit a mix of residential uses that is compatible to the proposed mixed-use neighborhood abutting this district.

OBJECTIVE

The objective of this Master Zoning Plan district is to allow for a mix of residential uses that meets the objectives of the RMU within Title20, Section 20.06.020.D.10. **This district will accommodate, encourage and promote an innovatively designed mix of single family, Two-family, three-family, quadraplex, and common open space/recreational uses.**

SECTION II

CHARACTERISTICS AND COMPONENTS OF THIS DISTRICT

1. General Design Principles as per Title 20.10.360G are design principles to serve as guidelines that are met by this district.
 - a. Development Perspective:
 - (2).That the development strategy utilized encourages infill and redevelopment in parity with new and existing neighborhoods. **This district will provide for a mix of residential uses while also providing for some open space/recreational areas that will compliment the future neighborhood and regional commercial uses that it abuts.**
 - (5). That a mixture of housing types and densities be distributed throughout the mixed-use development. **This district will contain a full mix of residential types from single family units to quadraplexes while providing for some open space/recreation areas.**
 - (10). That neighborhoods be compact, pedestrian –friendly, and mixed use. **This district will be designed in a more walkable and pedestrian friendly environment with short block lengths with recreational facilities within 1/8 of a mile walking distance.**

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- (11). That the ordinary activity of daily living occurs within walking distance of most dwellings. **This district will provide a mix of residential and recreational uses that will abut some neighborhood commercial uses in order to achieve a more walkable, sustainable neighborhood.**
 - (13). That within the neighborhoods, a range of housing types and price levels be provided to accommodate people of diverse ages and incomes. **This district will contain a mix of residential uses ranging from single family to quadraplexes that will accommodate residents of diverse ages and incomes.**
 - (17). That a development have sufficient size to accommodate the mixed-use concentration of uses. **This district is sufficient in size to accommodate a mix of residential uses that will compliment the viability and livability of the future mixed use neighborhood.**

b. Building Perspective:

- (1). That buildings and landscaping contribute to the physical definition of streets and civic places. **This district will de designed with the focus of neighborhood parks with pedestrian friendly streets.**
- (2). That the design of streets and buildings reinforce safe environments. **This district will de designed to have recreational areas and short street blocks that will provide for a safer environment by accommodating the vehicular movements while providing for a more pedestrian-friendly neighborhood.**

- 2. General Design Elements as per Title 20.10.360G are design elements to serve as guidelines that are met by this District.
 - a. Neighborhoods limited in size and orientated toward pedestrian activity.
 - b. A variety of housing types, jobs, shopping, services, and public facilities.
 - d. A network of interconnecting streets and blocks that maintain respect for the natural landscape
 - h. Buildings, spaces, and other features that act as landmarks, symbols, and focal points for community identity.
 - i. Compatibility of buildings and other improvements as determined by their arrangement, bulk, form, character, and landscaping to establish a livable and harmonious environment.**This district will provide for a mix of residential uses that will be more pedestrian-friendly, and will contain common open space/recreational areas that will serve as focal points to the neighborhood.**
- 3. Architectural objectives as per Title 20.10.360G
 - a. Architectural compatibility
 - b. Human scale design
 - c. Integration of uses
 - d. Encouragement of pedestrian activity
 - e. Buildings that relate to and are orientated toward the street and surrounding buildings
 - f. Residential scale buildings in any mixed residential area

- g. Buildings that contain special architectural features to signify entrances to the mixed-use development, and
- h. Buildings that focus activity on neighborhood open space, square or plaza.
This district will contain a mix of residential uses that will be designed to have short street blocks and common open space/recreational areas that will make this neighborhood more walkable and diverse.
4. Roadway design as per Title 20.10.360G – this District will contain a short street blocks, narrow access-ways to provide a more pedestrian-friendly environment.
5. Parking – off-street parking within the district is provided for the residents of the district by way of two- car garages and 2 car driveways.
6. Setbacks – this district will have zero (0) setbacks.
7. Density – this district will contain a maximum FAR of .50:1 or 14 units/acre maximum
8. Landscaping – this district will contain landscaping that will meet and exceed requirements per Title 18 (Building and Construction) of the El Paso City Code as well as common open space and recreational areas that will include play structures.
9. Sub districts – this district will not have any sub districts.
10. Commercial uses within the district - None.

SECTION III

PHASING

The entire District will be built within a two year timeframe. Thus, there will be no phasing of this District.

SECTION IV

RELATIONSHIP TO THE PLAN FOR EL PASO

The Plan for El Paso states the Goals and Policies that define the form and function of the City. This Master Zoning Plan is in accordance with the goals and policies as per the following points:

A. City-Wide Land Use Goals and Policies:

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Policy: Develop land use patterns that protect neighborhoods while supporting the economic viability of the City.

Action: Maintain development standards that protect residential neighborhoods from uses that increase traffic, noise, reduce privacy, and adversely affect the health, safety and welfare of residents.

This district will enhance the economic viability of the neighborhood by providing for a mix of residential uses, common open space/recreational areas that will be more pedestrian-friendly.

B. Residential Land Use Goals and Policies:

1. Goal: Provide a wide range of housing types that respond to the needs of all economic segments of the community.

Policy: Encourage innovative home design and development to promote housing opportunities

Action: Provide adequate open space, either in private yards or common areas, in all residential developments

2. Goal: Protect residential areas from incompatible land uses and encroachment which may have a negative impact on the residential living environment.

Action: Employ development standards to protect residential environments.

This district will provide for a mix of residential uses that will provide for a more diverse range of residents while enhancing the future neighborhood and regional commercial uses due to the unique design of common open space/recreational areas that will serve as focal points to the neighborhood.

C. Neighborhoods Land Use Goals and Policies:

1. Preserve, protect, and enhance the integrity, economic vitality and livability of the City's neighborhoods.

Action: Encourage neighborhood amenities that include places for interaction among residents such as parks, community centers, schools, commercial areas, churches, and other gathering points throughout the City.

Action: Public and private development should be designed to improve the character of the existing neighborhoods.

This district will enhance the integrity, economic vitality and livability of the proposed neighborhood through the design of a more urban, walkable development.

DESERT SANDS

GENERAL DATA REQUIRED

FOR THE RESIDENTIAL MIXED USE DISTRICT

	Land Use Type	Minimum Unit Area	LOT COVERAGE		Minimum Lot Width	Minimum Dept	Lot	MAX BLDG HEIGHT (1)	
			Minimum	Maximum				Primary Structure	Accessory Structure
11.00	<i>Recreational</i>								
	Open Space	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
	Park/Playground	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
13.00	<i>Residential</i>								
	Single Family (Attached/Detached)	1,500sqft	40%	80%	40'	80'	30'	30'	
	Duplex	2,400sqft	40%	80%	60'	80'	30'	30'	
	Triplex	2,400sqft	40%	80%	70'	80'	30'	30'	
	Quadrplex	3,600sqft	40%	80%	70'	80'	30'	30'	
	Domestic Storage	1,500sqft	40%	80%	40'	80'	30'	30'	
	Dwelling, resident watchman	1,500sqft	40%	80%	40'	80'	30'	30'	
	Home Occupation Use	1,500sqft	40%	80%	40'	80'	30'	30'	